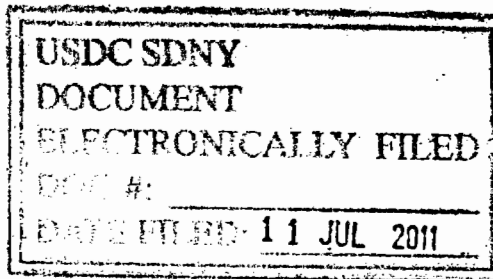


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July 7, 2011

BY FACSIMILE (212-805-0426)

The Honorable Laura Taylor Swain
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *Lenworth Smith and Yves Toussaint v. J.P. Morgan Chase Bank, et al.*,
Case No. 10-CV-1773 (LTS) (AJP)

Dear Judge Swain:

This firm represents Defendants in the above-referenced action. We are pleased to inform the Court that the parties have reached an agreement to settle this matter in its entirety. The parties are finalizing the written settlement papers and anticipate filing a Stipulation of Dismissal With Prejudice shortly. As such, we respectfully request that the Court adjourn indefinitely Defendants' deadline for moving for summary judgment, currently for July 12, 2011. We have been advised by Michael Jude Jannuzzi, Esq., who represents Plaintiffs in two similar actions pending in New York Supreme Court and in the parties' settlement discussions, that Plaintiffs do not oppose this request.

On behalf of Defendants, we thank the Court for its consideration of this request.

Respectfully submitted,

SEYFARTH SHAW LLP

Robert S. Whitman (AK)

Robert S. Whitman

*The foregoing
request is granted,
and a 30-day
order will be
entered.*

cc: Michael Jude Jannuzzi, Esq. (via fax)
Lenworth Smith, *pro se* (via U.S. mail)
Yves Toussaint, *pro se* (via U.S. mail)

SO ORDERED.

NEW YORK, NY

July 8, 2011
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE